First Nations Water Rights in British Columbia

A Historical Summary of the rights of the Alexandria First Nation

DOC
BC
W324
D:F57A42
2001
c.3

WATER BC our vital resource
Ministry of Environment, Lands and Parks

LEGISLATIVE LIBRARY MAR 13 2001
VICTORIA BC

BRITISH COLUMBIA

LEGISLATIVE LIBRARY OF BRITISH COLUMBIA
3 3298 00250 8282

101-03910/

MINISTRY OF ENVIRONMENT, LANDS and PARKS
WATER MANAGEMENT BRANCH

FIRST NATIONS WATER RIGHTS IN BRITISH COLUMBIA:

A Historical Summary of the rights of the Alexandria First Nation

Research and writing by:	Christina Rocha
Edit by:	JOL Consulting
Review by:	Gary W. Robinson
Prepared for publication:	February, 2001

National Library of Canada Cataloguing in Publication Data
Rocha, Christina.
First Nations water rights in British Columbia. A historical summary of the rights of the Alexandria First Nation

ISBN 0-7726-4448-9

1. Water rights - British Columbia - Alexandria Indian Reserve No. 1. 2. Water rights - British Columbia - Alexandria Indian Reserve No. 3. 3. Carrier Indians - British Columbia - Quesnel Region - Government relations. I. Robinson, Gary W. II. JOL Consulting (Firm) III. British Columbia. Water Management Branch. IV. Title. V. Title: Historical summary of the rights of the Alexandria First Nation.

KEB529.5.W3R657 2001 346.71104'32 C2001-960011-9
KF8210.W38R657 2001

ACKNOWLEDGMENTS

The Ministry of Environment, Lands and Parks wishes to acknowledge three partners whose contributions were invaluable in the completion of the *Aboriginal Water Rights Report Series:*

The Ministry of Aboriginal Affairs, was a critical source of funding, support and direction for this project.

The U-Vic Geography Co-op Program, was instrumental in providing the staffing resources needed to undertake this challenging task. Through the services of June Whitmore and her office, the project benefited from the research, writing, editing and co-ordination of these outstanding students:

Jas Gill
Julie Steinhauer
Kelly Babcock
Daniella Mogus
Miranda Griffith
Christina Rocha
Rachel Abrams
Elizabeth Lee
Sara Cheevers

The services of Clover Point Cartographics Limited of Victoria, was responsible for the preparation of most of the map drawings, which form a valuable part of these documents.

In addition to these three key partners, I must acknowledge the valuable contributions of other Water Management staff, past and present, including Jack Farrell, Jim Mattison, Richard Penner, Diana Jolly, Greg Blaney, Gary Lucas and Kim Johnston.

The sheer numbers of First Nations groups' with histories of water rights made the completion of the Report Series seem, at times, prolonged. The determination, patience and vision of the partners was essential in the completion of the Series and is gratefully acknowledged.

Gary Robinson
Project Manager
Water Management Branch

TABLE OF CONTENTS

LOCATION 1

WATER ALLOCATIONS 2

HISTORY, CURRENT STATUS, AND NOTES 3

Alexandria & Cornell Springs
- History 3
- Current Status 4
- Notes 4

Cuisson Creek, Souran Lake & Valerie Lake
- History 5
- Current Status 5
- Notes 6

Fraser River
- History 6
- Current Status 6
- Notes 6

MacKay Creek
- History 7
- Current Status 7
- Notes 7

Maquoi Lake
- History 7
- Current Status 7
- Notes 8

South General Creek
- History 8
- Current Status 9
- Notes 9

Village Creek
- History 9
- Current Status 9
- Notes 9

4 MILE CREEK
History 10

OTHER INFORMATION 10

APPENDICES

TAB NO.

1. TABLE: Summary of Water Rights Record for the Alexandria First Nation

2. RECORD OF MINUTES OF DECISIONS
AGBC No. 590452

3. LICENCES AND PLATS
Conditional Water Licences 7808, 8228, 8686, 29298, and 69038.
Final Water Licence 11772.

4. STREAM REGISTER REPORTS
Alexandria Spring, Cornell Spring, Cuisson Creek, Fraser River, MacKay Creek, Maquoi Lake, Souran Lake, South General Creek, 4 Mile Creek, Valerie Lake, and Village Creek.

5. WATER RECORDS FOR THE ALEXANDRIA BAND FOUND IN THE *SCHEDULE OF INDIAN RESERVES IN THE DOMINION, 1913.*

6. MAP: Alexandria Band
   i. 1:250,000 map showing all of the Alexandria First Nation reserves.
   ii. 1:50,000 maps showing all the reserves of the Alexandria First Nation.

FIRST NATIONS WATER RIGHTS REPORT

BAND:	Alexandria Band		
ADDRESS:	P.O. Box 4, R.R. 2, Rancherie Group, Quesnel, B.C., V2J 3H6		
CHIEF:	Chief Tommy Billyboy		
PHONE:	993-4324	**FAX:**	398-5798
AFFILIATION:	Tsilhqot'in Tribal Council		

LOCATION:

The Alexandria First Nation occupies fifteen reserves in an area located south of the town of Quesnel and north of the town of Williams Lake. The reserves occupy a total land area of 1,142.3 hectares and include:

Alexandria 1	Alexandria 3	Alexandria 3A
Alexandria 10	Alexandria 11	Alexandria 12
Big Joe's Meadow 7	Freddie's Meadow 8	Hay Ranch 2
Lorin Meadow 9	McKay Meadow 4	Lorin Meadow 9
McKay Meadow 4	Necausley Creek 6	Webster Creek 5

Of Alexandria reserves, water rights have been allocated on:

- **Alexandria # 1**: a 117.3 hectare reserve located on the east bank of the Fraser River across from Alexandria Reserve No.'s 3 and 3A.
- **Alexandria # 3**: a 499.4 hectare reserve located on the west bank of the Fraser River.

The most recent population figures compiled by the Ministry of Finance report that the Alexandria Band has a total population, including registered and non-registered members, living on- and off-reserves, of 137.

The Alexandria reserves occur in the Sub-Boreal Spruce Biogeoclimatic Zone. The zone is located in the central interior of the Province, primarily on gently rolling plateaus. The reserves lie at elevations ranging from 1000 to 2900 feet above mean sea level, and experience a climate in which average daily temperatures range from lows of -15

degrees centigrade in January, to highs in the order of 20 degrees centigrade in July. Annual rainfall for the area averages between 30 and 50 centimeters.

Water courses of significance include:

- **Alexandria Spring**: located in the northern portion of Alexandria Reserve No. 3.
- **Cornell Spring**: located in the southern portion of Alexandria Reserve No. 3.
- **Cuisson Creek**: flows west, northeast of Alexandria Reserve No.'s 1, 3 and 3A.
- **Fraser River**: the major watercourse in the vicinity of the Alexandria Reserves. The Fraser River flows in a southeasterly direction through the area.
- **MacKay Creek**: flows east through Alexandria Reserve No.'s 3 and 3A.
- **Maquoi Lake**: located northeast of McKay Meadow Reserve No. 4.
- **Souran Lake**: situated northwest of Alexandria Reserve No. 12.
- **South General Creek**: flows northeast, merges with General Creek and then drains into the Fraser River.
- **Valerie Lake**: situated northwest of Alexandria Reserve No. 12.
- **Village Creek**: flows east through the northern portion of Alexandria Reserve No. 3A.

WATER ALLOCATIONS:

There are no records of allocations made by Order-in-Council of the Lieutenant Governor in Council.

The water rights of the Alexandria Band have been determined by four actions of government over the years:

1) Allotments by Indian Reserve Commissioners.

Following confederation, the Province and the Dominion established an Indian Reserve Commission to reserve lands for the Indians and to facilitate the transfer of the lands in question to Dominion authority. In setting apart lands for reserves, the Reserve Commissioners made it their practice to allot water in conjunction with the land. This practice was unique among Indian Reserves in Canada and the authority of the Commissioners to allot water rights has been disputed by the Province since.

2) Determinations of the Board of Investigation under the *Water Act, 1914* with respect to claims filed by the Department of Indian Affairs. In it's rulings the Board often recommended the issue of water licences.

3) The issue of water licences in response to Federal Government applications requesting authorization for the use of water on reserve lands.

4) Actions to amend, cancel or record as abandoned, licenced rights pursuant to provisions contained in the *Water Act*.

HISTORY, CURRENT STATUS AND NOTES:

The history of water rights, the current status of rights, and notes for the Alexandria Band with respect to Alexandria Spring, Cornell Spring, Cuisson Creek, MacKay Creek Maquoi Lake, Souran Lake, S. General Creek, Valerie Lake, Village Creek, and 4 Mile Creek are as follows:

Alexandria & Cornell Springs:

History:

Sep 17, 1923 At a final hearing of the Board of Investigation, acting pursuant to the Water Act of 1914, the Board determined that a valid water record affecting the claim of the Department of Indian Affairs to rights to the use of the waters of Springs* on Alexandria Reserve No. 3 was made under authority of an Act passed prior to the 12th day of March, 1909. The Order of the Board, numbered 7110 set out that a conditional licence should be issued which would:

(i) provide for the diversion of water from springs on Alexandria Reserve No. 3;
(ii) take precedence from November 27, 1890; and
(iii) authorize the diversion of a maximum of 81 acre feet per year for the irrigation of 27 acres of Alexandria Reserve No.

3, provided that 5,000 gallons per day, throughout the year, could also be used for domestic purpose.

*Note: The *"Springs,"*, as reffered to in the Board Order are currently recognized as Alexandria and Cornell Springs.

Nov 3, 1924 The Comptroller of Water Rights issued Conditional Water Licence 7808, which embodied the terms and conditions set out in Board Order 7110.

Dec 15, 1942 Based on the extent to which the rights granted under Conditional Licence 7808 were exercised, the Comptroller of Water Rights issued Final Water Licence 11772, in substitution, to the Superintendent General of Indian Affairs on behalf of the Alexandria Band. The licence was given a precedence date of November 27, 1890 and authorizes the diversion of 5,000 gallons a day from Alexandria and Cornell Springs. The appurtenant lands are defined as the south portion of Alexandria Reserve No. 3.

Current Status:

Final Water Licence 11772, for the use and benefit of the Alexandria Band, is currently the only licence active on Alexandria and Cornell Springs.

The Water Survey of Canada has no records of streamflow for Alexandria or Cornell Springs. No other current information regarding water availability on these sources was located.

Notes:

1. The issue of Final Water Licence 11772 in substitution of Conditional Water Licence 7808, resulted in the reduction of licensed water rights for the Alexandria Band on Cornell and Alexandria Springs.

2. Under current licensing practices Final Water Licence 11772 would be issued for waterworks purpose. The amendment of the licence as such, would qualify the Alexandria and Cornell Springs drainage area for designation as a "Community Watershed" under provisions contained in the Forest Practices Code.

Cuisson Creek, Souran & Valerie Lakes:

History:

Nov 18, 1925 — At a firal hearing of the Board of Investigation, acting pursuant to the Water Act of 1914, the Board determined that a valid water record affecting the claim of the Department of Indian Affairs to rights to the use of the waters of Cuisson Creek on Alexandria Reserve No. 1 was made under authority of an Act passed prior to the 12th day of March, 1909. The Order of the Board, numbered 7096 set out that a conditional licence should be issued which would:

i. provide for the diversion of water from Cuisson Creek on Alexandria Reserve No. 1;
ii. take precedence from November 27, 1890; and
iii. authorize the diversion of a maximum of 672 acre feet per year for the irrigation of 224 acres of Alexandria Reserve No. 1, provided that 5,000 gallons per day, throughout the year, could also be used for domestic purpose.

Nov 18, 1925 — The Comptroller of Water Rights issued Conditional Water Licence 8228, which embodied the terms and conditions set out in Board Order 7096.

Mar 31, 1936 — The Comptroller of Water Rights issued an Order, in accordance with the notice of proposed cancellation dated February 19, 1936, which canceled Conditional Water Licence 8228 .

Further information pertaining to the cancellation of Conditional Water Licence 8228 cannot be located because the corresponding file was destroyed in 1945.

Feb 11, 1985 — A water application was filed by the Alexandria Band requesting a water rights permit to divert 440 acre feet of water for irrigation purposes from Cuisson Creek.

Current Status:

There are currently three licences active on Cuisson Creek, Souran Lake, and Valerie Lake, none of which are held by the Alexandria Band. Of these licences:

- 4 authorize the use of water for irrigation purpose, ranging from 50 to 440 acre feet.

- 1 authorizes the use of 440 acre feet for storage non-power purpose.

*Note: A single licence may be issued which authorizes use and diversion for multiple purposes.

The Water Survey of Canada has no records of streamflow for either Cuisson Creek, Souran Lake, or Valerie Lake. No alternative sources of current water availability data were located during the course of this review.

Notes:

1. There is currently one outstanding application on Cuisson Creek, Souran and Valerie Lakes. The application was filed by the Alexandria Band in 1985.

Fraser River:

History:

Mar 26, 1990 — In accordance with an application made by the Alexandria Band, the Comptroller of Water Rights issued Conditional Water Licence 69038. The licence was assigned a precedence date of December 16, 1986 and authorizes the diversion of 740 acre feet, from April 1 to September 30, from the Fraser River for irrigation purpose. Of the total allocation, 2,000 gallons of water per day can be used for domestic purpose. The appurtenant lands are defined as Alexandria Reserve No. 3, Alexandria Band, Cariboo District, of which 370 acres may be irrigated.

Current Status:

Conditional Water Licence 69038 is currently the only licence active on the Fraser River in the vicinity of the Alexandria Reserves.

The Water Survey of Canada has no records of streamflow on the Fraser River near Alexandria. No other sources of current water availability information for the Fraser River in this area were located.

Notes:

1. The allotment of water under Conditional Water Licence 69038 is in excess of the amount originally applied for by the Alexandria Band on the Fraser River.

MacKay Creek:

History:

Feb 16, 1927 — In response to an application made by the Superintendent General of Indian Affairs on behalf of the Alexandria Band, the Comptroller of Water Rights issued Conditional Water Licence 8686. The licence was assigned a precedence date of October 2, 1926 and authorizes the diversion of 70 acre feet, from April 1 to September 30, from MacKay Creek for irrigation purpose. Of this amount, 2,000 gallons of water per day can be used for domestic purpose. The appurtenant lands are specified as 35 acres of Alexandria Reserve No. 3 and 3A.

Jan 19, 1943 — The Comptroller of Water Rights issued an Order, in accordance with the notice of proposed cancellation dated November 12, 1942, which canceled Conditional Water Licence 8686.

Current Status:

There are currently no licence active on MacKay Creek.

The Water Survey of Canada has no records of streamflow for MacKay Creek. No other sources of current water availability data were located during this study.

Notes:

1. The water rights held by the Alexandria Band under Conditional Water Licence 8686 were canceled in 1943.

Maquoi Lake:

History:

Feb 14, 1985 — A water application was filed by the Alexandria Band requesting a water rights permit to divert 440 acre feet of water for irrigation purposes from Maquoi Lake.

Current Status:

There are currently no licences active on Maquoi Lake.

The Water Survey of Canada has no records of streamflow for Maquoi Lake. No other current sources of water availability information were located during the course of this investigation.

Notes:

1. There is currently one outstanding application on Maquoi Lake. The application was filed by the Alexandria Band in 1985.

South General Creek:

History:

Jul 4, 1881 — A Minute of Decision of the Indian Reserve Commission allocated the following for the use of the Alexandria Band:

> *" the unreserved waters of the creek* at the northwestern corner of the reserve is also allotted for the use of the Indians."*

*Note: South General Creek flows through the northwestern corner of Alexandria Reserve No. 3.

Oct 1, 1964 — In accordance with an application made by the Director of Indian Affairs on behalf of the Alexandria Band, the Comptroller of Water Rights issued Conditional Water Licence 29298. The licence was given a precedence date of May 11, 1964 and authorizes the diversion of 3,000 gallons of water a day from South General Creek for domestic purpose. The appurtenant lands are specified as Alexandria Reserve No. 3.

Aug 23, 1968 — Conditional Water Licence 29298 was recorded as abandoned. Further information regarding the past exercise of rights authorized under this licence are not available because the associated file has since been destroyed.

Mar 12, 1976 — A letter from the Regional Engineer stated that there was an error made in the issue of Conditional Water Licence 29298. Final Water Licence 20521 (on Village Creek) was issued in 1968. Subsequent to this it was discovered that Conditional Water Licence 29298 was issued in response to the same application. In light of this discovery, Conditional Water Licence 29298 was recorded as abandoned.

Current Status:

There are currently no licences active on South General Creek.

The Water Survey of Canada has no records of streamflow on South General Creek. No other information on current water availability for the Creek was located.

Notes:

1. The Alexandria Band's rights to the waters of South General Creek, as allocated in 1881 by the Indian Reserve Commission, have not been formally recognized by the Province.

2. The Alexandria First Nation's licenced water rights on South General Creek were lost as a result of the abandonment of Conditional Water Licence 29298.

Village Creek:

History:

Aug 1, 1968 — In response to an application filed by the Superintendent General of Indian Affairs (Williams Lake Agency), the Comptroller of Water Rights issued Final Water Licence 20521. The licence was assigned a precedence date of March 14, 1968 and authorizes the diversion of 3,000 gallons from Village Creek. The appurtenant lands are defined as Alexandria Reserve No. 3, Cariboo District.

Current Status:

Final Water Licence 20521, for the use and benefit of the Alexandria Band, is currently the only licence active on Village Creek.

The Water Survey of Canada has no records of streamflow for Village Creek. Alternative sources of current water availability information for the Creek could not be located.

Notes:

1. There is no additional information with respect to the rights of the Alexandria First Nation on Village Creek.

4 MILE CREEK

Jul 4, 1881 A Minute of Decision of the Indian Reserve Commission allocated the following for the use of the Alexandria Band:

> *"The water from a lake stream on the plan is also reserved, and the unappropriated waters of 4 Mile Creek*"*

*Note: It is assumed that 4 Mile Creek is situated within Alexandria Reserve No. 1.

OTHER INFORMATION:

Additional Water Records:

The *Schedule of Indian Reserves in the Dominion, 1913,* is a document published by the federal government, recording each Band's water allocations up to 1913. It is believed that these records are a compilation of Minute of Decisions, Order-in-Councils, and perhaps other formal documents. However, as original copies of the source documents are unavailable, the dates and information contained in the *Schedule* cannot be verified.

Allocations in the *Schedule of Indian Reserves in the Dominion* for the benefit of the Alexandria First Nation which are inconsistent with our findings are:

Reserve	Water Allocation
Alexandria 1	*"100 inches* of water recorded from Four-Mile Creek*"* It is assumed that Four-Mile Creek is located within Alexandria Reserve No. 1. However, no licences have ever been granted to the Alexandria Band on a water source recognized by this name; the allocation of 100 inches from 4-Mile Creek has never been formally recognized by the Province.

*Note: The reference to an inch of water is understood to be a "miner's inch" of water. The Water Act of 1914 defined a miner's inch as being equal to a flow of .028 cubic feet per second. This rate of flow over a 120 day irrigation season would be 6.664 acre feet for each miner's inch.

Fisheries:

The *Schedule of Indian Reserves in the Dominion* allocated the use of the following for the Alexandria Band:

Reserve	Fisheries Allocation
Alexandria 3	*"12 inches of water of water recorded from a spring* upon the reserve. The Alexandria Indians have the privilege of fishing on the right bank of Fraser river upon reserve No. 1."*

*Note: It is assumed that the spring described in the schedule refers to either Alexandria Spring or Cornell Spring, both of which lie within Alexandria Reserve No. 3.

This allocation of fishing rights also applies to Alexandria Reserve No. 1 and Hay Ranch Reserve No. 2.

Groundwater Records:

A review of records maintained by the MELP - Groundwater Section found that three wells have been reported on the Alexandria Reserves. The wells yield in the order of five gallons per minute. The extent to which they are currently utilized is unknown. Further details have been included in Appendix 6..

As the provision of well information to the Groundwater Section is voluntary, this review should not be assumed to be complete.

Alternate Water Sources:

At this time the potential for water supply from a municipal water system is limited as there are no systems in reasonable proximity to any of the Alexandria Reserves.

The proximity of the Alexandria Reserves to the Fraser River presents the potential for water supply to the reserves via this river system.

Summary of Water Rights Records

Alexandria First Nation

Water Source	Priority Date	Reserve Name	File No.	Document Type	Status	Superceded By	Licence PUC/MOD & OIC Allotments	Comments
Un-named Lake, 4 Mile Creek	1881/07/04	Alexandria 1	AGBC #590452	MOD			"... water from a lake shown on the plan is reserves, and the unappropriated water of 4 Mile Creek."	IRC Allocations: Not formally recognized by Province.
Alexandria Spring, Cornell Spring	1890/11/27	Alexandria 3	0241138	CL 7808	Superceded	FL 11772	81 AF/Irrigation, 5,000 GAD/Domestic	
Alexandria Spring, Cornell Spring	1890/11/27	Alexandria 3	0241138	FL 11772	Current		5,000 GAD/Domestic	Substitution: Resulted in loss of licenced rights for Band. Purpose: Currently would be issued for 'Waterworks' purpose; amendment as such, would qualify the Alexandria and Cornell Srings drainage area for designation "Community Watershed" under FPC
Fraser River	1986/12/16	Alexandria 3	5000588	CL 69038	Current		740 AF/Irrigation	Allocation Volume: In excess of that which the Band originally applied for.
Cuisson Creek	1890/11/27	Alexandria 1	0007096	CL 8228	Canceled		672 AF/Irrigation, 5,000 GAD/Domestic	

Water Source	Priority Date	Reserve Name	File No.	Document Type	Status	Superceded By	Licence PUC/MOD & OIC Allotments	Comments
Cuisson Creek, Souran Lake, Valerie Lake.	1985/02/11	Alexandria 3	5000403	Z 101887	Application		440 AF/Irrigation 440 AF/Storage	Status: Application has been outstanding since Feb 1985.
MacKay Creek	1926/10/02	Alexandria 3, Alexandria 3A	0072035	CL 8686	Canceled		70 AF/Irrigation, 2,000 GAD/Domestic	Cancellation - 19 Jan 1942: For non-beneficial use. Resulted in loss of all licenced rights for Band on MacKay Cr.
Maquoi Lake	1985/02/07	Alexandria 3	5000403	Z 101934	Application		1,200 AF/Irrigation 1,200 A/Storage	Status: Application has been outstanding since Feb 1985.
South General Creek	1881/07/04	Alexandria 3	AGBC #590460	MOD			"... unrecorded water of the creek at the Northwestern corner of the Reserve is allocated for the use of the Indians."	IRC Allocations: Not formally recognized by province. Water Source: Description provided correlates to "South General Creek".
South General Creek	1964/05/11	Alexandria 3	0256561	CL 29298	Abandoned		3,000 GAD/Domestic	Abandonment - 23 Aug 1968: Resulted in loss of all of Band's licenced rights on South General Creek.
Village Creek	1968/03/14	Alexandria 3	0277772	FL 20521	Current		3,000 GAD/Domestic	

(28) Geo. A. Walkem

Minutes of Decision.

Alexandria Indians

No. 1.

A Reserve containing 640 acres approximately, situated on the left bank of Fraser river, at the 197 mile Post on the Cariboo waggon road.

Commencing at a fir tree marked S. Indian Reserve, being the Northeastern corner of the Reserve, and running thence due East 40 chains to a stake at the corner of Mr Livingstone's fence; thence due South 40 chains; thence due East 40 chains; thence due North 40 chains; thence due East 30 chains; thence due South an approximate distance of 70 chains to a point due East of a Post, the boundary between Mrs McInnis and the Indian Reserve; thence due West to said Post; and thence up the left bank of the Fraser river to the point of commencement.

~~The water from the Reserve on the plan marked Reserved, and the unappropriated water of~~ 2 Miles

Alexandria Indians

H.B. Note Book.

24

No. 2.

Also a Reserve containing 640 acres, about 3½ miles East of Alexandria, and known as the "Indian Hay Ranch".

Commencing at a fir tree marked Indian Reserve, due East 30 chains; thence due South 30 chains; thence due West 30 chains; and thence due North 30 chains to Point of Commencement.

No. 3.

A Reserve containing about 1200 acres, situated on the right bank of Fraser river, adjoining the Hudson's Bay Co. property.

Commencing at a stump at the South-eastern Corner of the Hudson's Bay

Alexandria Indians

— No. 3, Cont'd — Geo. A. Walkem

30

Bay Co. claim, and running thence due West an approximate distance of 8 chains to the Southeast corner of the said claim, which will also be the Southeast corner of the Indian Reserve; thence due West an approximate distance of 42 chains; thence due North 120 chains; thence due West 30 chains; thence due North 80 chains; thence due East 31 chains; thence due South 40 chains; thence due East to the Fraser River, an approximate distance of 42 chains; thence down the right bank of the said river, to the Northwestern boundary of the Hudson's Bay Co. claim; and thence along the said boundary to the Southeastern corner of the Indian Reserve as before mentioned.

~~The unconsidered value of the creek at the Northwestern corner of the reserve is allotted for the use of the Indians.~~

Also the exclusive right of fishing on the West bank of Fraser River, commencing at the Northeast corner of the Hudson's Bay Co. claim, and extending up stream an approximate distance of 125 chains to the Northeast corner,

Alexandria Indians.

No. 3, Can. Ind.

Corner of the Indian Reserve.

31

Also a grave-yard situated on the Hudson's Bay Co. land, as shewn on the Plan.

Dominion Land Surveyor.

Alexandria, 13th July, A.D., 1881.

PROVINCE OF BRITISH COLUMBIA.

WATER RIGHTS BRANCH.

DEPARTMENT OF LANDS.

CONDITIONAL WATER LICENCE.

(For a Irrigation Purpose.)

WHEREAS the Board of Investigation, constituted and acting under the "Water Act, 1914," duly held an investigation respecting the water set out in the order No. 7110, duplicate of which is hereto attached, and in the said order directed the Comptroller of Water Rights to issue a conditional licence in respect of the particular record and claim respectively set out therein, and further therein named the terms and conditions to be embodied in the said licence:

NOW, THEREFORE, I, Comptroller of Water Rights of the Province of British Columbia, in pursuance of the said order and in conformity with the "Water Act, 1914," issue this conditional licence, and declare the rights in and to the use of the said waters held under the said record in respect of the said claim to be such as are set out in the said order; and the terms and conditions of the said order and any exhibits which are therewith incorporated are hereby incorporated herewith and form a part hereof. This licence is appurtenant to Alexandria Indian Reserve (No.3 Alexandria).

Superseded by 11777 Final Licence

Made and entered this 24th day of November, 192 at

E. A. Cleveland

Comptroller of Water Rights.

No. 7808

Form No. 1006, W.R.B. (Licence in respect of Board Order)—300-324-8764

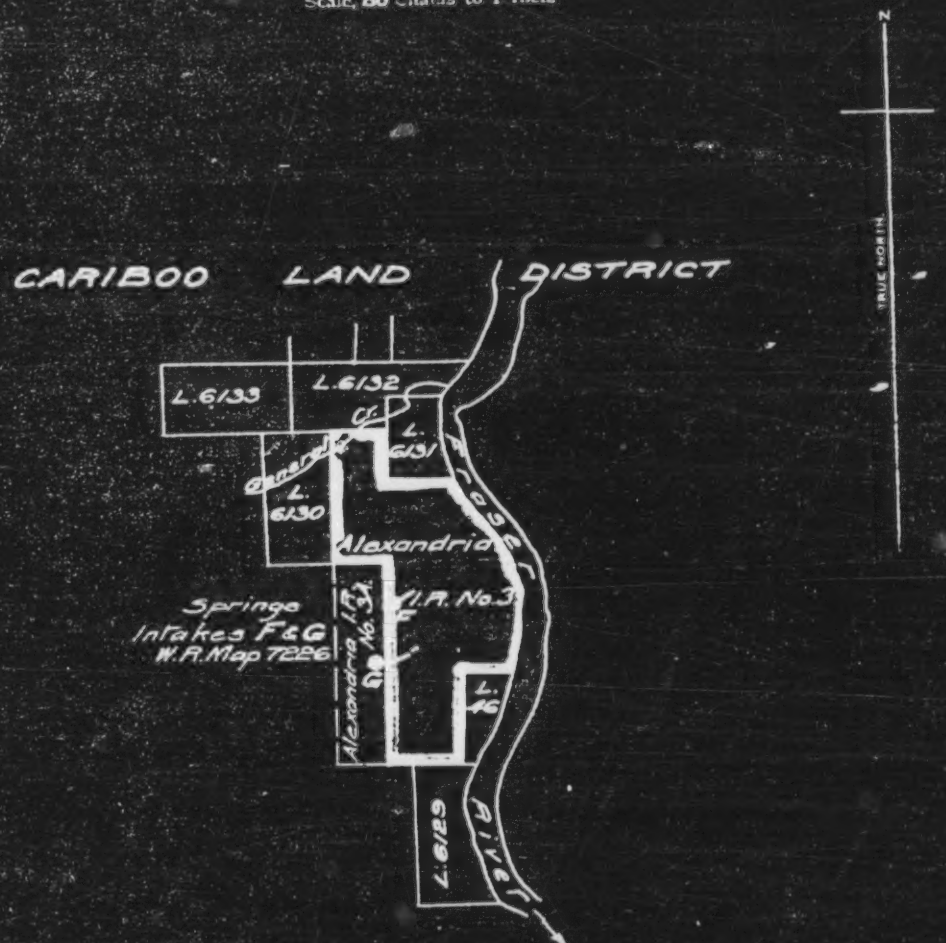
Copy for Comptroller

British Columbia

To accompany Board Order No. 7110

QUESNEL —— WATER DISTRICT.

Scale, 80 Chains to 1 Inch.



LEGEND
Intake
Ditch

The boundaries of the land to which this licence is appertenant are shown shaded.
27 acres within the said boundaries are claimed to be irrigable.

Signature S. Alexander
J. S. Lane
3rd Nov. 1924
C.L. 7803 B.O. 7110
File 4-19-1

EXHIBIT "A"

PROVINCE OF BRITISH COLUMBIA. WATER RIGHTS BRANCH. DEPARTMENT OF LANDS.

DETERMINATION AND ORDER

(FOR A CONDITIONAL WATER LICENCE FOR IRRIGATION PURPOSES.)

BY THE BOARD OF INVESTIGATION
UNDER THE "WATER ACT, 1914."

In the Matter of the Claims of the Department of Indian Affairs to Rights to the Use of the Waters

of Springs on Alexandria Indian Reserve (No.3 Alexandria)

in the neighbourhood of Soda Creek, in the

Cariboo Water District.

NOW, on the 17th day of September, 1923, the above-entitled matter coming on regularly for final hearing before the Board of Investigation; due notice having been given of the time and place of hearing; all and every the steps required under the Act to be taken by the Board before a determination of the said rights and claims should be made having been taken; all evidence, testimony, and proofs filed with the Board or presented in the above-entitled matter having been duly considered; a quorum of the Board being present at the hearing; and the Board being now fully advised in the premises, determines with respect to the said claims (which are on file and designated as Indian File No. 4-19-1) that a valid water record affecting the said claim was made under the authority of an Act passed prior to the 12th day of March, 1909, and that, under the said record, the Alexandria tribe or band of Indians was granted a right to take and use water from unnamed springs for irrigation and domestic purposes on the Alexandria Indian Reserve, being Reserve No. 3 of the said tribe or band.

Form 16A. W.R.B.—500-12-17

Order No. 7110.

7808

Copy for Comptroller

2. The claims of the Department of Indian affairs with respect to the said waters are allowed by the Board to the extent hereinafter specified, and the Comptroller of Water Rights is hereby directed to issue a conditional licence in respect thereof embodying the following terms and conditions:—

(*a.*) The sources of the water supply are springs on the Alexandria Indian Reserve (No.3 Alexandria).

(*b.*) The points of diversion from the said sources are located as shown in the exhibit marked "A" hereto attached, which is incorporated herewith and made a part hereof, the original of which exhibit is on file in the office of the Comptroller of Water Rights, Parliament Buildings, Victoria, B.C.

(*c.*) The date ~~for~~ from which the said licence shall take precedence is 27th November, 1890.

(*d.*) The purpose for which the water is to be used is irrigation.

(*e.*) The maximum quantity of water per annum which may be used when irrigation is extended to all the lands mentioned in subclause (*g*) of this clause, until lawfully altered, is 81 acre-feet, and the maximum quantity of water which may be used per annum on each acre actually irrigated until lawfully altered is 3 acre-feet: Provided that where sources of supply other than those named in subclause (*a*) hereof are drawn upon for the irrigation of a part or all of the same lands as are described in subclause (*g*) hereof, the maximum quantity of water which may be used under the licence hereby directed to be issued shall be reduced by the quantity which the licensee may be entitled to use from said other sources of supply: Provided further that when the Engineer of the Water District has accumulated the requisite hydrographic data for determining to the satisfaction of the Comptroller the *pro rata* part of the said total quantity to be apportioned to the licence hereby directed to be issued, the Comptroller shall require the surrender of the licence, and shall amend the same by stating the particular quantity to which the licensee is entitled from the particular sources named therein.

(*f.*) The period of the year during which the water may be used is between the first day of April and the thirtieth day of September.

(*g.*) The water may be used on the Alexandria Indian Reserve (No.3, Alexandria) of which 27 acres are said to be irrigable. The extent and location of the said irrigable lands are more particularly shown in the said Exhibit "A."

(*h.*) The works which are required to be constructed before the issue of a final licence are the clearing, stumping, and levelling of the irrigable lands on the said reserve and the additional works required for conducting thereto the maximum quantity of water hereby authorized to be diverted.

(*i.*) The execution of the said works shall be commenced or resumed on or before the first day of June, 1925, and shall be prosecuted with due diligence and in a workmanlike manner and to the satisfaction of the Comptroller of Water Rights.

(*j.*) The said works shall be completed and the quantity of water to which the licensee is entitled beneficially used for the purpose set out in the licence on or before the first day of November, 1930.

(*k.*) Before any change is made in the said works which would be a material deviation from the plans as approved or the works as accepted by the Comptroller, plans of such proposed change must be filed with the Comptroller and approved by him.

Board Order No.7110.

7808

Copy for Comptroller

(*l.*) The nature and the extent of the incidental uses permitted under the licence are: For domestic purposes, the use of 5,000 gallons a day of water from any or all the said sources of supply during the whole of the year; and for storage purpose, such quantity of water (not exceeding [redacted] acre-feet) as, together with the natural flow-water used hereunder, will be necessary to secure to the licensee the quantity granted hereunder. The water which may be so stored shall be that of [redacted] and it may be stored (accumulated) in a reservoir at [redacted] between the first day of October in each year and the first day of June in the succeeding year, and may be used as provided for in subclauses (*d*), (*e*), and (*f*) of this clause, but such uses shall not enlarge the quantity of water allowed by subclause (*e*) hereof.

(*m.*) The Board may extend the time for the commencement, resumption, or completion of the execution of the works on being satisfied that it is in the public interest and that it will not injuriously affect the rights of any licensee.

(*n.*) The licence shall not in any way be deemed to be a final licence for the use of water, but shall have the effect only of a conditional licence issued under Part V. of the "Water Act, 1914," and shall be subject to all the provisions of the said Act, including the filing of proof of the completion of the said works and the putting of the water to such beneficial use within the time limited by the provisions of section 117 of the said Act.

3. Pending the issue of the licence hereby authorized to be issued, the terms and conditions of this order shall govern the respective rights of the record-holders or claimants affected thereby.

Made and entered this 2nd day of November, 192[illegible]

THE BOARD OF INVESTIGATION.

By "J.S.T.Alexander", Member.

and "J.R.Lane", *Member.*

RECEIVED
Map No. 7226.1.7228
By [illegible]

Form 387. W.R.B.—2,000-12-20.

Order No. 7110.

7808.

Copy for Comptroller

PROVINCE OF BRITISH COLUMBIA. **WATER RIGHTS BRANCH.** DEPARTMENT OF LANDS.

CONDITIONAL WATER LICENCE.

(For an Irrigation Purpose.)

WHEREAS the Board of Investigation, constituted and acting under the "Water Act," duly held an investigation respecting the water set out in the order No. 7096, duplicate of which is hereto attached, and in the said order directed the Comptroller of Water Rights to issue a conditional licence in respect of the particular record and claim respectively set out therein, and further therein named the terms and conditions to be embodied in the said licence:

NOW, THEREFORE, I, Comptroller of Water Rights of the Province of British Columbia, in pursuance of the said order and in conformity with the "Water Act," issue this conditional licence, and declare the rights in and to the use of the said waters held under the said record in respect of the said claim to be such as are set out in the said order; and the terms and conditions of the said order and any exhibits which are therewith incorporated are hereby incorporated herewith and form a part hereof. This licence is appurtenant to the Alexandria Indian Reserve No.1.

Cancelled Sec 74 - 1936

Fully Destroyed 1941

Made and entered this 18th day of November, 1925.

E. A. Cleveland
Comptroller of Water Rights.

No. 8228

Form No. 1006, W.R.B. (Licence in respect of Board Order)—800-625-1437

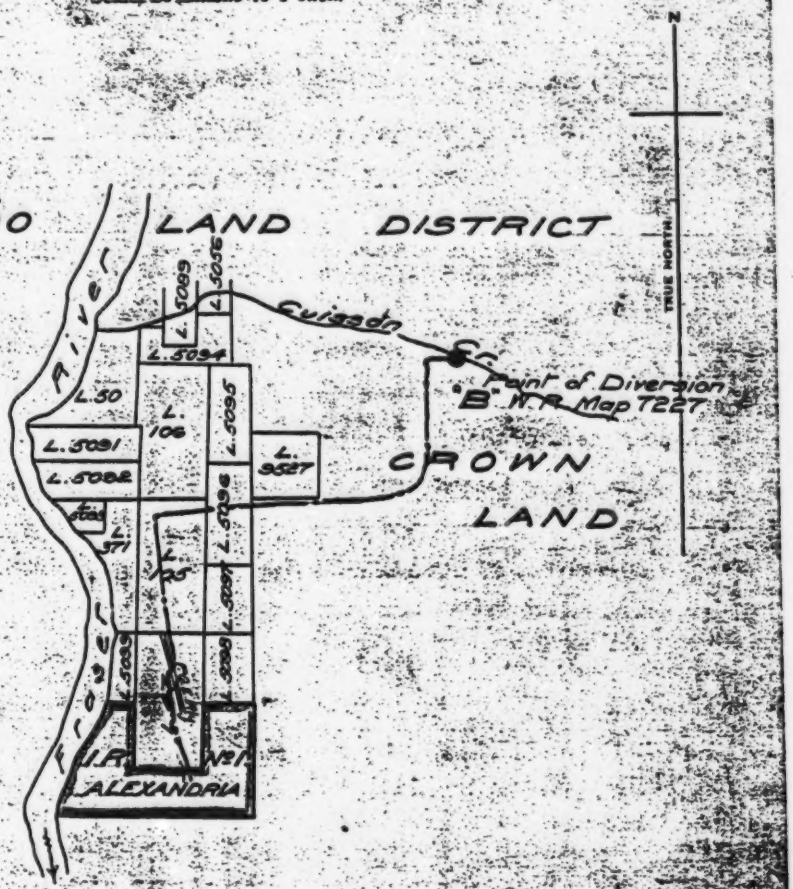
ORIGINAL

British Columbia

To accompany Conditional Water Board Order No. 7096

QUESNEL WATER DISTRICT.

Scale, 80 Chains to 1 Inch.



Description of works to be constructed
Ditches + flumes.

The water may be carried by ditches, flumes & natural channels to place of use.

LEGEND
Intake
Ditch

The boundaries of the land to which this licence is appurtenant are shown shaded.
2 1/2" acres within the said boundaries are claimed to be irrigable.

Signature: J. T. Alexander

Date: 18 Nov 1925

J. T. Blaine
C.L. 8228 for BD. 7096
File 3-19-1

EXHIBIT "A"

500-124-4137

PROVINCE OF BRITISH COLUMBIA. WATER RIGHTS BRANCH. DEPARTMENT OF LANDS.

DETERMINATION AND ORDER

(FOR A CONDITIONAL WATER LICENCE FOR IRRIGATION PURPOSES.)

BY THE BOARD OF INVESTIGATION
UNDER THE "WATER ACT, 1914."

In the Matter of the Claims of the Department of Indian Affairs to Rights to the Use of the Waters of Cuisson Creek, a tributary of Fraser River, in the neighbourhood of Alexandria, in the Quesnel Water District.

NOW, on the 17th day of September, 1923, the above-entitled matter coming on regularly for final hearing before the Board of Investigation; due notice having been given of the time and place of hearing; all and every the steps required under the Act to be taken by the Board before a determination of the said rights and claims should be made having been taken; all evidence, testimony, and proofs filed with the Board or presented in the above-entitled matter having been duly considered; a quorum of the Board being present at the hearing; and the Board being now fully advised in the premises, determines with respect to the said claims (which are on file and designated as Indian File No. 3-19-1) that a valid water record affecting the said claim was made under authority of an Act passed prior to the 12th day of March, 1909, and that, under the said Water Record, the Alexandria tribe or band of Indians was granted a right to take and use water from Cuisson Creek, a tributary of Fraser River, for irrigation and domestic purposes on the Alexandria Indian Reserve, being Reserve No.1 of the said tribe or band.

2. The claims of the Department of Indian affairs with respect to the said waters are allowed by the Board to the extent hereinafter specified, and the Comptroller of Water Rights is hereby directed to issue a conditional licence in respect thereof embodying the following terms and conditions:—

(*a*.) The source of the water supply is Cuisson Creek, a tributary of Fraser River.

(*b*.) The points of diversion from the said sources are located as shown in the exhibit marked "A" hereto attached, which is incorporated herewith and made a part hereof, the original of which exhibit is on file in the office of the Comptroller of Water Rights, Parliament Buildings, Victoria, B.C.

(*c*.) The date from which for which the said licence shall take precedence is 27th November, 1890.

(*d*.) The purpose for which the water is to be used is irrigation.

(*e*.) The maximum quantity of water per annum which may be used when irrigation is extended to all the lands mentioned in subclause (*g*) of this clause, until lawfully altered, is 672 acre-feet, and the maximum quantity of water which may be used per annum on each acre actually irrigated until lawfully altered is 3 acre-feet: Provided that where sources of supply other than those named in subclause (*a*) hereof are drawn upon for the irrigation of a part or all of the same lands as are described in subclause (*g*) hereof, the maximum quantity of water which may be used under the licence hereby directed to be issued shall be reduced by the quantity which the licensee may be entitled to use from said other sources of supply: Provided further that when the Engineer of the Water District has accumulated the requisite hydrographic data for determining to the satisfaction of the Comptroller the *pro rata* part of the said total quantity to be apportioned to the licence hereby directed to be issued, the Comptroller shall require the surrender of the licence, and shall amend the same by stating the particular quantity to which the licensee is entitled from the particular sources named therein.

(*f*.) The period of the year during which the water may be used is between the first day of April and the thirtieth day of September.

(*g*.) The water may be used on the Alexandria Indian Reserve No.1 of which 224 acres are said to be irrigable. The extent and location of the said irrigable lands are more particularly shown in the said Exhibit "A."

(*h*.) The works which are required to be constructed before the issue of a final licence are the clearing, stumping, and levelling of the irrigable lands on the said reserve and the additional works required for conducting thereto the maximum quantity of water hereby authorized to be diverted.

(*i*.) The execution of the said works shall be commenced or resumed on or before the first day of June, 1926, and shall be prosecuted with due diligence and in a workmanlike manner and to the satisfaction of the Comptroller of Water Rights.

(*j*.) The said works shall be completed and the quantity of water to which the licensee is entitled beneficially used for the purpose set out in the licence on or before the first day of November, 1930.

(*k*.) Before any change is made in the said works which would be a material deviation from the plans as approved or the works as accepted by the Comptroller, plans of such proposed change must be filed with the Comptroller and approved by him.

(*l.*) The nature and the extent of the incidental uses permitted under the licence are: For domestic purposes, the use of 5000 gallons a day of water from any or all the said sources of supply during the whole of the year; and for storage purpose, such quantity of water (not exceeding ..... acre-feet) as, together with the natural flow-water used hereunder, will be necessary to secure to the licensee the quantity granted hereunder. The water which may be so stored shall be that of ..... and it may be stored (accumulated) in a reservoir at .....

..... between the first day of October in each year and the first day of June in the succeeding year, and may be used as provided for in subclauses (*d*), (*e*), and (*f*) of this clause, but such uses shall not enlarge the quantity of water allowed by subclause (*e*) hereof.

(*m.*) The Board may extend the time for the commencement, resumption, or completion of the execution of the works on being satisfied that it is in the public interest and that it will not injuriously affect the rights of any licensee.

(*n.*) The licence shall not in any way be deemed to be a final licence for the use of water, but shall have the effect only of a conditional licence issued under Part V. of the "Water Act, 1914," and shall be subject to all the provisions of the said Act, including the filing of proof of the completion of the said works and the putting of the water to such beneficial use within the time limited by the provisions of section 21(1) of the said Act.

3. Pending the issue of the licence hereby authorized to be issued, the terms and conditions of this order shall govern the respective rights of the record-holders or claimants affected thereby.

Made and entered this 18th day of November, 1925.

THE BOARD OF INVESTIGATION.

By S. T. Alexander, Chairman.
and J. S. Lane, Member.

Form 587 (3). W.R.B.—1M-1624-7719.

Order No. 7096.

ORIGINAL

WATER ACT

Section 74

IN THE MATTER OF Conditional Water Licence No. 8828, dated the 18th day of November, 1925, granted to the Department of Indian Affairs, authorizing the diversion and use of water from Cuisson creek for Irrigation purpose on the Alexandria Indian Reserve No. 1.

.....

YOU ARE HEREBY NOTIFIED that you have failed to prove to my satisfaction:

(a) that the construction of the works authorized under the above mentioned licence was begun within the time fixed therefor, and

(b) that the construction of the said works was prosecuted with due diligence.

AND YOU ARE FURTHER NOTIFIED that on the 23rd day of March, 1936, I propose to cancel the said Conditional Water Licence No. 8828.

DATED at Victoria, B.C. this 19th day of February, 1936.

Comptroller of Water Rights.

File No. 3-19-1.

TO: Supt.-General of Indian Affairs, Ottawa.
J.T. Johnston, Director, W.P. & Recl. Dept. of the Interior, Ottawa.
C.E. Webb, District Chief Engineer, Dom. W.P. & Hydrometric Bureau, 739 Hastings St. W., Vancouver, B.C.
Commissioner of Indian Affairs, P.O. Box 666, Victoria, B.C.
REGISTERED
Indian Agent, Williams Lake, B.C.

ALL COMMUNICATIONS IN REFERENCE TO WATER MATTERS SHOULD BE ADDRESSED TO COMPTROLLER OF WATER RIGHTS, PARLIAMENT BUILDINGS, VICTORIA, B.C.

VICTORIA, B.C. _____

DEPARTMENT OF LANDS

WATER RIGHTS BRANCH

WATER ACT

Section 74

CANCELLATION ORDER

BEFORE THE COMPTROLLER OF WATER RIGHTS:

In accordance with the notice of proposed cancellation dated 19th day of February, 1936, Conditional Licence 8228 is hereby cancelled.

Dated at Victoria, B. C., this 31st day of March, 1936.

Comptroller of Water Rights.

File No. 3-19-1.

PROVINCE OF BRITISH COLUMBIA

WATER RIGHTS BRANCH.

DEPARTMENT OF LANDS.

CONDITIONAL WATER LICENCE.

(IRRIGATION.)

Appurtenant to 35 acres of Alexandria No. 3 and No. 3A, Indian Reserves.

WHEREAS SUPERINTENDENT GENERAL OF INDIAN AFFAIRS, whose post-office address is Ottawa, as owner or lawful occupant of the land hereinafter specified, has applied for a licence to take and use water in the manner hereinafter set out, and has taken all the preliminary steps required of such applicant under the "Water Act" prior to the issue of this licence, and is, under the said Act, entitled thereto:

Now, therefore, in pursuance of the said Act, this conditional licence is issued, granting the licensee hereunder the right to take and use water under the following terms and conditions:—

(1.) The source of the water-supply is Mackay Creek, located as shown in the exhibit "A" hereto attached.

(2.) The point of diversion from the stream is located as shown in the exhibit marked "A" hereto attached, which is incorporated herewith and made a part hereof, the original of which is attached to the counterfoil of this licence on file in the office of the Comptroller of Water Rights, Parliament Buildings, Victoria, B.C.

(3.) The date from which this licence shall take precedence is 2nd October, 1926.

(4.) The purpose for which the water is to be used is irrigation and incidentally domestic use.

(5.) The maximum quantity of water which may be diverted for use upon the lands mentioned in clause (7) hereof when all of the said lands are under irrigation is, until lawfully altered 70 acre-feet per annum, and such additional quantity as the District Engineer may from time to time determine should be allowed for seepage and evaporation; and the maximum quantity which may be used on any acre of the said lands in any year is 2 acre-feet: Provided that of the said 70 acre-feet there may be used 2000 gallons of water a day throughout the whole year for domestic purpose.

(6.) The period of the year during which the water may be used is 1st April to 30th September.

(7.) The area and description of the lands upon which the water may be used are 35 acres, comprising part of A. Alexandria No. 3 and 3A, Indian Reserves.

The extent and location of the said irrigable lands are further shown in the said exhibit "A."

Licence Number 8686

W.R.B. 1904 (1)—Conditional Licence—Irrigation—1M-626-5041

File No. 072035

Cancelled 19/1/43

ORIGINAL

(8.) The said lands shall be properly prepared for irrigation and irrigated beneficially from the said works on or before the 1st day of November, 1930

(9.) Works for the diversion and the carriage of the water as set forth in the exhibit marked "B" which is hereto attached made a part hereof shall be constructed in a workmanlike manner and to the satisfaction of the Comptroller of Water Rights.

The said construction shall be commenced on or before the 1st day of May, 1927

The said construction shall be prosecuted with due diligence and to the satisfaction of the Comptroller and shall be completed on or before the 1st day of November, 1930

(10.) Before any change is made in the said works which would be a material deviation from the plans as approved or the works as accepted by the Comptroller, plans of such proposed change must be filed with the Comptroller and approved by him.

(11.) This licence is supplementary to - - - - Licence No. - - - - for the diversion of - - - - acre-feet per annum from - - - - - - - - and Licence No. - - - - for the diversion of - - - - acre-feet per annum from - - - - - - - - but no more than - - - - acre-feet of water (exclusive of the quantity allowed for seepage and evaporation) may be diverted from all sources for use upon the lands described in clause 7 hereof.

(12.) This licence is subject to readjustment when hydrometric surveys have been made of the sources of supply mentioned in clauses (1) and (11) hereof and complete information obtained respecting the requirements of all lands watered therefrom and the licensee shall surrender the licence for amendment when called upon to do so.

(13.) This licence shall not in any way be deemed to be a final licence for the use of water, but shall have the effect only of a conditional licence issued under Part II. of the "Water Act, 1914," and shall be subject to all the provisions of said Act, including especially the provisions of section 71 thereof requiring the filing of proof of the completion of the said works and of making beneficial use of the water as authorized within the time herein prescribed.

(14.)

Issued this 16th day of February, 1927

File No. 072035

Comptroller of Water Rights

Licence Number 8686

Form 1004, W.R.B. (Conditional Licence—Irrigation)-1M-1134-6031

ORIGINAL.

PROVINCE OF BRITISH COLUMBIA.

WATER RIGHTS BRANCH.

DEPARTMENT OF LANDS.

EXHIBIT "B."

(APPROVAL OF PLANS AND LIST OF WORKS TO BE CONSTRUCTED.)

The works which are accepted as necessary and suitable for the taking and (or) using of the water under the above-mentioned licence, and which are more fully set out in the plans and specifications filed in the office of the Comptroller of Water Rights numbered 527422 B

as altered, amended, or limited by supplemental plans and specifications numbered

or in letters or other documents referred to as

which plans and specifications as thus altered, amended, or limited are hereby approved, are as follows:—

Ditch

File No. 072035

J. Macdonald

Comptroller of Water Rights.

Form 1001, W.R.B. (Approval of Plans)—2,500-1921-3461—(Forming part of Conditional Water Licence No. 8686).

1926/28 K

ORIGINAL

WATER ACT, 1939.

Section 18.
CANCELLATION ORDER

BEFORE THE COMPTROLLER OF WATER RIGHTS:

In accordance with the notice of proposed cancellation, dated the 12th day of November, 1942, Conditional Water Licence No. 8686 is hereby cancelled.

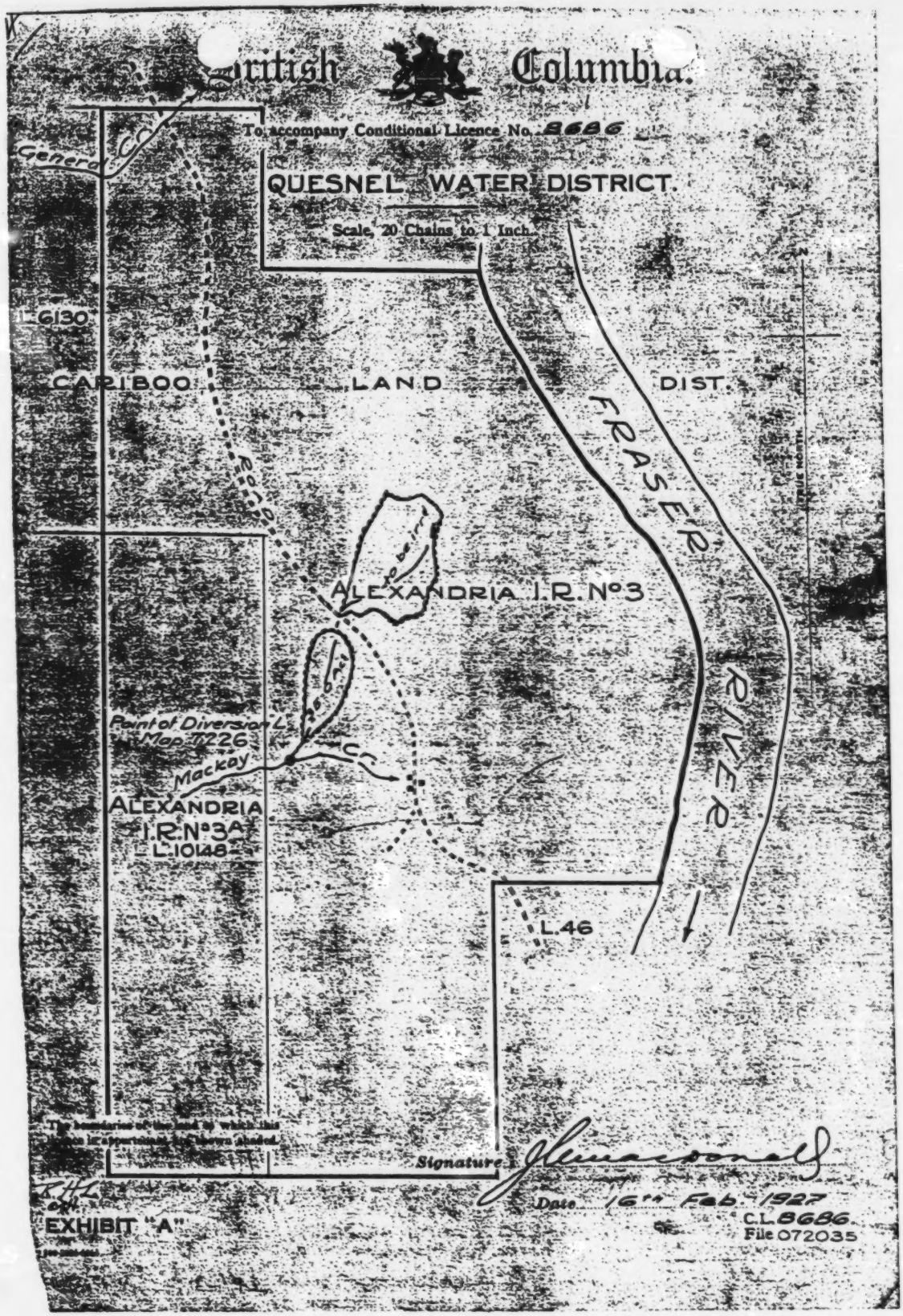
DATED at Victoria, B. C., this 19th day of January, 1943.

E. Davis

Comptroller of Water Rights.

File No. 072035.

8686


British Columbia.
To accompany Conditional Licence No. 8686
QUESNEL WATER DISTRICT.
Scale, 20 Chains to 1 Inch.
L.6130
CARIBOO
LAND
DIST.
FRASER
RIVER
ALEXANDRIA I.R. Nº3
Point of Diversion
Map 1226
Mackay
ALEXANDRIA
I.R. Nº3A
L.10148
L.46
Signature
Date 16th Feb. 1927
EXHIBIT "A"
C.L. 8686.
File 072035

WATER RESOURCES SERVICE
WATER RIGHTS BRANCH

DEPARTMENT OF LANDS, FORESTS, AND WATER RESOURCES

THE PROVINCE OF BRITISH COLUMBIA—WATER ACT

CONDITIONAL WATER LICENCE

Director of Indian Affairs of **Ottawa, Ontario**

is/are hereby authorized to **divert and use** water as follows:—

(*a*) The source(s) of the water-supply is/are **South General Creek.**

(*b*) The point(s) of **diversion** is/are located as shown on the attached plan.

(*c*) The date from which this licence shall have precedence is **11th May 1964.**

(*d*) The purpose for which the water is to be used is **domestic.**

(*e*) The maximum quantity of water which may be **diverted is 3000 gallons a day,**

and such additional quantity as the Engineer may from time to time determine should be allowed for losses.

(*f*) The period of the year during which the water may be **used is the whole year.**

(*g*) The land upon which the water is to be used and to which this licence is appurtenant is

Alexandria Indian Reserve No.3.

(*h*) The works authorized to be constructed are **intake dam, reservoir and pipe,**

and they shall be located approximately as shown on the attached plan.

(*i*) The construction of the said works **has been completed and the water shall be beneficially used on or before the 31st day of December, 1965.**

(j) **This licence authorizes the use of water in the 5 dwellings situated on the land described in clause (g) at the date hereof, or any dwellings replacing same but not in any other dwellings.**

7273
R.M. F.B.

ABANDONED AUG 23 1968
K.F.

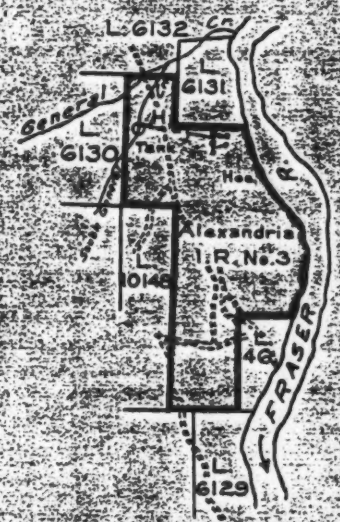
Gordon J.A. Kidd,
Comptroller of Water Rights.

FILE No. 0256561 Date issued: 1 October 1964 CONDITIONAL LICENCE No. 29298

British Columbia

QUESNEL WATER DISTRICT
CARIBOO DISTRICT

Scale: 1 Mile to 1 Inch



LEGEND

Point of Diversion O
W.R. Map 7278
Pipe

The boundaries of the land to which this licence is appurtenant are shown thus

Signature

Date 1 Oct 1964

EXHIBIT "A"

CL 29296
File 0256561

Province of
British Columbia

Ministry of
the Environment

WATER RIGHTS BRANCH

ORDER

WATER ACT

Section 15

FILE NO. 0241138

In the matter of Final Water Licence 11772, which authorizes the idversion of water from two springs on Indian Reserve No. 3, Alexandria Tribe for domestic purpose.

Being satisfied that the sources of the water-supply were improperly stated and that no person's rights will be injuriously affected, I hereby amend Clauses (a) of the said licence to read as follows:

(a) The sources of the water-supply are Alexandria Spring and Cornell Spring.

Dated at Victoria, B.C. this 12th day of February, 1979.

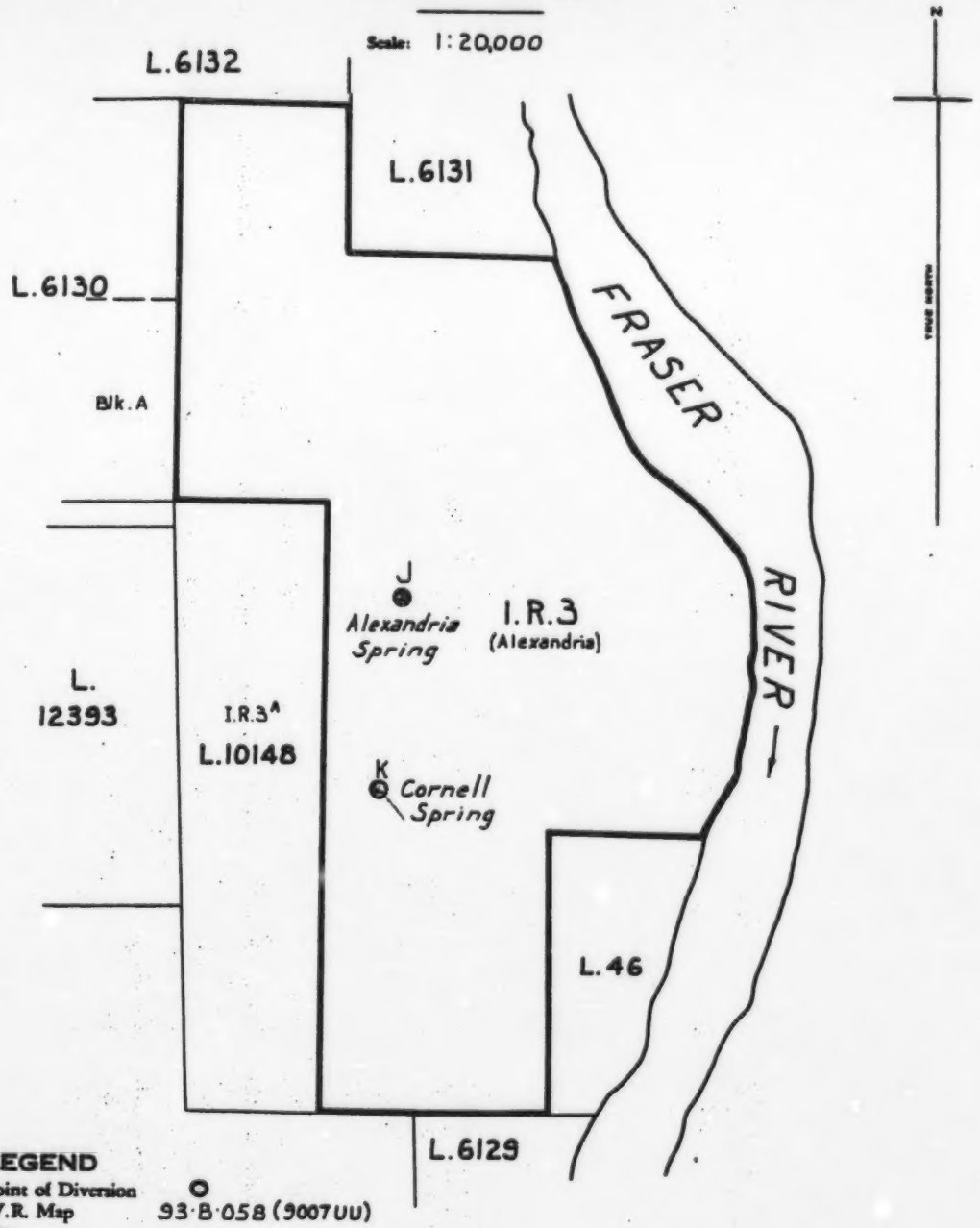
Earle Anthony,
Deputy Comptroller of Water Rights.

British Columbia

QUESNEL WATER DISTRICT

CARIBOO DISTRICT

Scale: 1:20,000



LEGEND

Point of Diversion O
W.R. Map 93·B·058 (9007UU)
Pipe — - —

The boundaries of the land to which this licence is appurtenant are shown thus: ———

Signature Earle Stanley

Date 12th Feb. 1979
Amended F.L. 11772
File 0241138

Nazko Precinct

WATER MANAGEMENT BRANCH

MINISTRY OF ENVIRONMENT AND PARKS

THE PROVINCE OF BRITISH COLUMBIA — WATER ACT

CONDITIONAL WATER LICENCE

Alexandria Indian Band of Box 4, R.R. #2, Rancherie Group, Quesnel, B.C. V2J 3H6, are hereby authorized to divert and use water as follows:

(a) The stream on which the rights are granted is Fraser River.

(b) The point of diversion is located as shown on the attached plan.

(c) The date from which this licence shall have precedence is 16th December, 1986.

(d) The purpose for which this licence is issued is irrigation.

(e) The maximum quantity of water which may be diverted and used for irrigation is 740 acre feet.

(f) Water may be used 1st April to 30th September.

(g) The land upon which the water is to be used and to which this licence is appurtenant is Indian Reserve No. 3, Alexandria Band, Cariboo District, of which 370 acres may be irrigated.

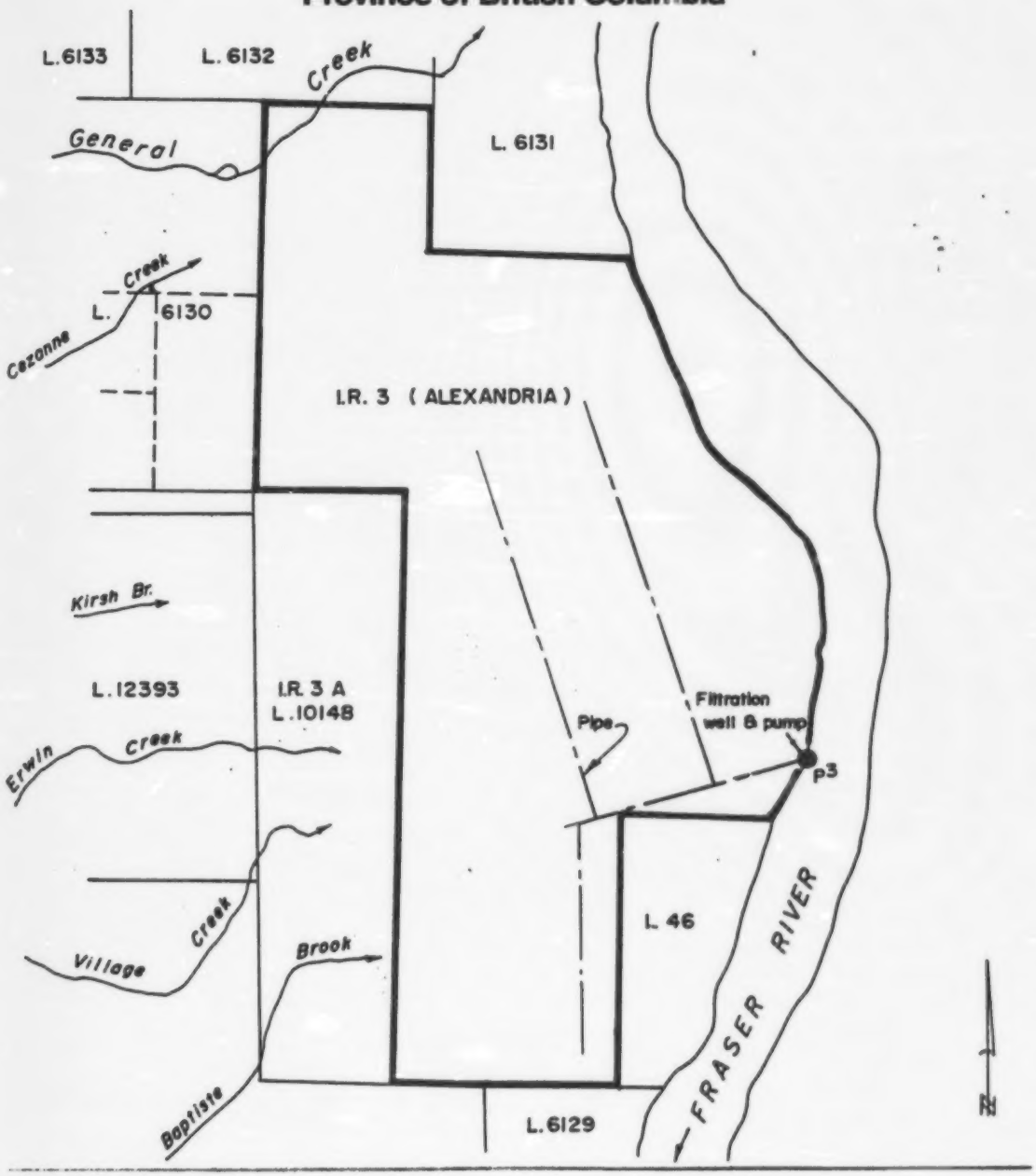
(h) The works authorized to be constructed are filtration well, pump, pipe and sprinkler system, which shall be located approximately as shown on the attached plan. The construction of the said works has been completed and the water is being beneficially used. The licensee shall continue to make regular beneficial use of water in the manner as authorized herein.

(i) The rights granted under this licence are subject to a reserve established by Order in Council No. 1426 on the Fraser River and the tributaries dated November 15, 1934.

D. W. Roberts, P. Eng.
Regional Water Manager

File No. 5000588 Date issued: MAR 26 1990 Conditional Licence 69038

Province of British Columbia



WATER DISTRICT : QUESNEL
PRECINCT : NAZKO
LAND DISTRICT : CARIBOO

LEGEND

Scale	: 1:20000
Point of Diversion	: ●
Map Number	: WR 93-B-058
Pipe	: — - —

Signature J.W. Roberts

Date MAR 26 1990

C.L. 69038
File 5000588

The boundaries of the land to which this licence is appurtenant are shown thus: ———

W.R.B. 3—236-637-6837

PROVINCE OF BRITISH COLUMBIA.

WATER RIGHTS BRANCH.

DEPARTMENT OF LANDS.

FINAL WATER LICENCE.

The ~~Superintendent General~~ Director of Indian Affairs of Ottawa, Canada, is hereby authorized to divert and use water as follows:—

(a.) The source of the water-supply ~~is~~ are two springs on Reserve No. 3, Alexandria tribe.

~~a tributary of~~

(b.) The point of diversion from the stream is located as shown in the Exhibit marked "A" hereto attached.

(c.) The date from which this licence shall have precedence is 27th November, 1890.

(d.) The purpose for which the water is to be used is domestic (including stock watering).

(e.) The maximum quantity of water which may be diverted from the stream is 5,000 gallons a day.

(f.) The period of the year during which the water may be used is the whole year.

(g.) The land upon which the water may be used is the south portion of Indian Reserve No. 3, Alexandria tribe,

as shown in the said Exhibit "A"

(h.) The works for the diversion and the carriage of the water consists of ditch.

(i.) This licence is issued in substitution of Conditional Water Licence No. 7806.

E. Davis.

Comptroller of Water Rights.

ENTERED ON
Map No. [illegible] 1272
By. [illegible]

File No. 4-19-1 Date issued December 15th, 1942. Licence No. 11772

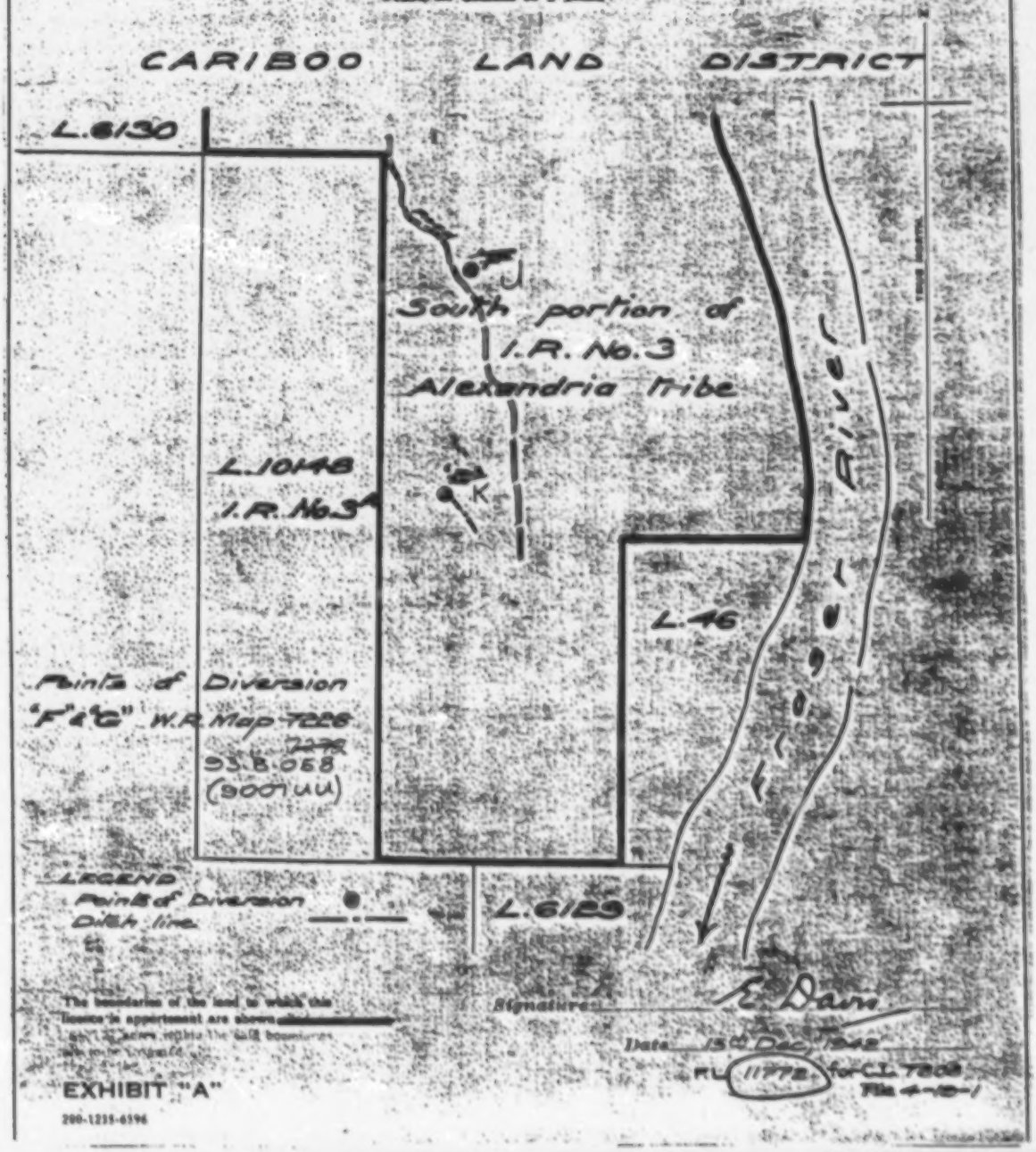
8

British Columbia.

To accompany {Final Licence No. 11772 for Conditional Licence No. 7808

QUESNEL WATER DISTRICT.

Scale, 20 Chains to 1 Inch.



The boundaries of the land to which the licence is appurtenant are shown thus [illegible] and [illegible] refers to the said boundaries.

EXHIBIT "A"

200-1235-6196

WATER RESOURCES SERVICE
WATER RIGHTS BRANCH

DEPARTMENT OF LANDS, FORESTS, AND WATER RESOURCES

THE PROVINCE OF BRITISH COLUMBIA—WATER ACT

FINAL WATER LICENCE

Superintendent General of Indian Affairs (Williams Lake Agency), of OTTAWA, Ontario

is/are hereby authorized to divert and use water as follows:—

(a) The source(s) of the water-supply is/are Village Creek.

(b) The point(s) of diversion is/are located as shown on the attached plan.

(c) The date from which this licence shall have precedence is 14th March, 1968.

(d) The purpose for which the water is to be used is domestic.

(e) The maximum quantity of water which may be diverted is 3,000 gallons a day, and such additional quantity as the Engineer may from time to time determine should be allowed for losses.

(f) The period of the year during which the water may be used is the whole year.

(g) The land upon which the water is to be used and to which this licence is appurtenant is Alexandria Indian Reserve No.3, Cariboo District.

(h) The works authorized hereunder are diversion structure, tank and pipe, located as shown on the attached plan.

(i) ~~This licence is issued in substitution of Conditional Water Licence No.~~

(j) This licence authorizes the use of water in 5 dwellings located as shown on the attached plan.

H. D. DeBeck,
Comptroller of Water Rights.

File No. 0277772 Date issued: 1 August 1968 Final Licence No. 20521

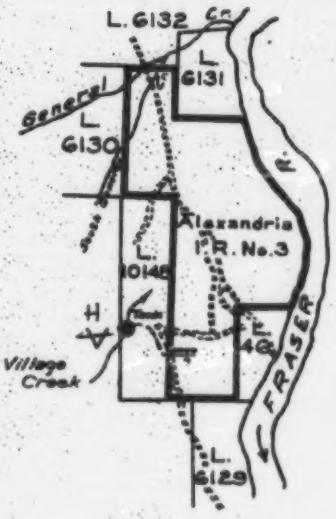
ENTERED ON
Map No. 7272
By

British Columbia

QUESNEL WATER DISTRICT

CARIBOO DISTRICT

Scale: 1 Mile to 1 Inch



LEGEND

Point of Diversion ●

W.R. Map 7222 93·B·058 (90074)

Pipe ——·——

The boundaries of the land to which this licence is appurtenant are shown thus: ————

Signature .....

Date ....Aug 1st....1968.....

F.L. 20521

File 0277772

EXHIBIT "A"

5

Stream Register Report Water License Information System

Report Requested By : CHOCHA
Date Report Requested : 1996/08/13 12:15
Report Sorted By : Source Gazetted - Priority Date - License Number
Selection Criteria
START POINT : PD61033 - 93.8.050 J
END POINT : 6020320 - Alexandria Spring

Stream Register Report

Water Licence Information System

DATE: 1996/08/13
TIME: 13:15
PAGE: 001

Priority YYYY/MM/DD	Licence Number	File Number	Appurtenancy	Licensee	PUC	Quantity/Units	Term Start	Term End	Licence Comments	Process Status
Source			NR Map	PWD	REG PWD Comments				Free	
1996/11/27	P9113732	02411130	[illegible]	ALEXANDRIA INDIAN BAND 989-789-9157 RR 2 BOX 4 QUESNEL BC V2J3H6	DOM	5,000.00 GD	Jan 01	Dec 31		
Alexandria Spring			093J.8.050	J	N				ZEA QUE - HASKO	

---------- Total of 1 Licence Reported ----------

Stream Register Report Water Licence Information System

Report Requested By : CROCHA
Date Report Requested : 1996/08/15 09:43
Report Sorted By : Source Gazetted - Priority Date - Licence Number
Selection Criteria
START POINT : 8019659 - Souran Lake on Culeson Creek
END POINT : 8019376 - Culeson Creek left of Fraser River

Stream Register Report — Water Licence Information System — DATE: 1996/08/15 TIME: 09:43 PAGE: 001

Priority YYYY/MM/DD	Licence Number	File Number	Appurtenancy	Licensee	PUC	Quantity/Units	Term Start	Term End	Licence Comments	Process Status
	Source		WR Map	POD RED POD Comments					Proc	
1968/04/09	F009273	0262699	77 AC OF L 50,5091,5092 CARIBOO DIST EXC CARIBOO HWY & POWR R/W	BROUGHTON FRANK L & CATHERINE B BROUGHTON GLEN F & COLLEEN G RR 1 QUESNEL BC V2J3H5	IRR	263.00 AF	Apr 01	Sep 30		
	Cuiscon Creek		WR93.B.060.2	V N					26B QUE - COTTONWOOD	
1911/06/17	F009412	0265201	69 AC OF L 6164 CARIBOO DIST	LUY JOHN H & NANCY L RR 1 BOX 6 MARGUERITE SITE QUESNEL BC V2J3H5	IRR	100.00 AF	Apr 01	Sep 30		
	Cuiscon Creek		WR93.B.059	A N					26B QUE - COTTONWOOD	
1966/02/24	C036126	0267804	50 AC OF L 5091 & 5092 CARIBOO DIST EXC CARIBOO HWY & POWR R/W	BROUGHTON FRANK L & CATHERINE B BROUGHTON GLEN F & COLLEEN G RR 1 QUESNEL BC V2J3H5	IRR	50.00 AF	Apr 01	Sep 30		
	Cuiscon Creek		WR93.B.060.2	V N					26B QUE - COTTONWOOD	
1985/02/11	E101887	5000403	IR#1 ALEXANDRIA CARIBOO DIST	ALEXANDRIA INDIAN BAND 989-709-8157 RR 2 BOX 4 QUESNEL BC V2J3H6	IRR STONP	440.00 AF 440.00 AF	Apr 01 Jan 01	Sep 30 Dec 31		APP APPLIC-CLEARED
	Cuiscon Creek		WR93.B.059	C N					26B QUE - COTTONWOOD	
	Souran Lake		WR93.B.059	CC N						
	Valerie Lake		WR93.B.059	DD N						

---------- Total of 4 Licences Reported ----------

Stream Register Report Water Licence Information System

Report Requested By : CROCNA
Date Report Requested : 1996/08/13 12:20
Report Sorted By : Source Gazetted - Priority Date - Licence Number
Selection Criteria
START POINT : FD61060 - 93.B.050 #3
END POINT : 6061055 - Nequoi Lake

Priority YYYY/MM/DD	Licence Number	File Number	Appurtenancy	Licensee	PUC	Quantity/Units	Term Start	Term End	Licence Comments	Process Status
1985/02/07	2101934	5000396	IR #3 & #3A (L 10140) (ALEXANDRIA) CARIBOO DIST	ALEXANDRIA INDIAN BAND 989-709-8157 RR 2 BOX 4 QUESNEL BC V2J3H6	IRR STOMP	1,200.00 AF 1,200.00 AF	Apr 01 Jan 01	Sep 30 Dec 31		APP APPLIC-CLEARED
Source			WR Map	POD	RED POD Comments				Prec	
Nequol Lake			NR93.B.050	K3	N				26A QUE - HAZEO	
EZ Lake (61057)			NR93.B.050	N3	N					

---------- Total of 1 Licence Reported ----------

Stream Register Report Water Licence Information System

Report Requested By : CROCHA
Date Report Requested : 1996/08/13 12:21
Report Sorted By : Source Gazetted - Priority Date - Licence Number
Selection Criteria
START POINT : PD41050 - 93.B.050 H
END POINT : 8020332 - Village Creek

Priority YYYY/MM/DD	Licence Number	File Number	Appurtenancy	Licensee	PUC	Quantity/Units	Term Start	Term End	Licence Comments	Process Status
1968/03/14	F020521	0277772	IR 3 ALEXANDRIA CARIBOO DIST	ALEXANDRIA INDIAN BAND 989-709-0157 RR 2 BOX 4 QUESNEL BC V2J3H6	DOM	3,000.00 GD	Jan 01	Dec 31		
Source		WR Map		POD	RED POD Comments				Proc	
Village Creek		WR93.B.050		H	H				26A QUE - HAZKO	

---------- Total of 1 Licence Reported ----------

CUISSON CREEK (SOUTH FORK) NEAR MARGUERITE - STATION NO. 08KE008

ANNUAL EXTREMES OF DISCHARGE AND ANNUAL TOTAL DISCHARGE FOR THE PERIOD OF RECORD

YEAR	MAXIMUM INSTANTANEOUS DISCHARGE (m^3/s)	MAXIMUM DAILY DISCHARGE (m^3/s)	MINIMUM DAILY DISCHARGE (m^3/s)	TOTAL DISCHARGE (dam^3)	YEAR
1949	---	---	---	---	1949
1952	---	---	---	---	1952
1953	---	---	0 ON JUL 23 *	---	1953
1955	---	---	---	---	1955
1956	---	6.51 ON JUN 22 *	---	---	1956
		* - EXTREME RECORDED FOR THE PERIOD OF RECORD		---	MEAN

CUISSON CREEK NEAR ALDERGROVE - STATION NO. 08KE005

MONTHLY AND ANNUAL MEAN DISCHARGES IN CUBIC METRES PER SECOND FOR THE PERIOD OF RECORD

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	MEAN	YEAR
1946	---	---	---	---	---	---	---	---	---	0.005	---	---	---	1946
1947	---	---	---	---	0.611	0.807	0.259	0.056	0.039	---	---	---	---	1947
1948	---	---	---	---	3.41	0.376	0.115	0.932	0.970	---	---	---	---	1948
1949	---	---	---	---	3.38	2.77	0.190	0.223	0.101	0.068	0.062	---	---	1949
1950	---	---	---	---	2.39	1.44	0.152	0.024	0.015	---	---	---	---	1950
1951	---	---	---	---	1.44	1.56	0.012	0.011	0.011	---	---	---	---	1951
1952	---	---	---	---	2.45	0.514	0.872	0.973	0.173	---	---	---	---	1952
1953	---	---	---	---	0.676	0.301	0.046	0.040	0.044	---	---	---	---	1953
1954	---	---	---	---	0.380	0.417	0.012	0.248	0.218	---	---	---	---	1954
MEAN	---	---	---	---	2.09	1.02	0.207	0.313	0.196	0.037	0.062	---	---	MEAN

LOCATION - LAT 49 06 25 N LONG 122 27 55 W DRAINAGE AREA, 162 km^2 NATURAL FLOW

CUISSON CREEK NEAR ALDERGROVE - STATION NO. 08KE005

ANNUAL EXTREMES OF DISCHARGE AND ANNUAL TOTAL DISCHARGE FOR THE PERIOD OF RECORD

YEAR	MAXIMUM INSTANTANEOUS DISCHARGE (m^3/s)	MAXIMUM DAILY DISCHARGE (m^3/s)	MINIMUM DAILY DISCHARGE (m^3/s)	TOTAL DISCHARGE (dam^3)	YEAR
1946	---	---	---	---	1946
1947	---	1.44 ON JUN 19	---	---	1947
1948	---	5.80 ON MAY 10 *	---	---	1948
1949	---	4.50 ON MAY 25	---	---	1949
1950	---	3.37 ON MAY 15	---	---	1950
1951	---	3.51 ON APR 27	---	---	1951
1952	---	2.89 ON MAY 15	---	---	1952
1953	---	0.654 ON MAY 06	---	---	1953
1954	---	0.657 ON MAY 20	---	---	1954
		* - EXTREME RECORDED FOR THE PERIOD OF RECORD		---	MEAN

CULLITON CREEK NEAR BRACKENDALE - STATION NO. 08GA040

MONTHLY AND ANNUAL MEAN DISCHARGES IN CUBIC METRES PER SECOND FOR THE PERIOD OF RECORD

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	MEAN	YEAR
1954	---	---	---	---	---	---	---	---	---	5.75	9.80	4.68	---	1954
1955	2.66	2.31	1.75	---	3.72	8.22	9.28	6.49	4.44	7.29	10.1	2.56	---	1955
1956	2.27	1.79	2.62	4.00	6.90	13.9	---	---	---	---	---	---	---	1956
1957	---	---	---	---	9.10	9.02	9.26	6.97	8.28	---	---	---	---	1957
MEAN	2.47	2.05	2.19	4.00	6.57	10.4	9.27	6.73	6.36	6.52	9.95	3.62	---	MEAN

LOCATION - LAT 49 52 20 N LONG 123 10 35 W DRAINAGE AREA, 73.8 km^2 NATURAL FLOW

CULLITON CREEK NEAR BRACKENDALE - STATION NO. 08GA040

ANNUAL EXTREMES OF DISCHARGE AND ANNUAL TOTAL DISCHARGE FOR THE PERIOD OF RECORD

YEAR	MAXIMUM INSTANTANEOUS DISCHARGE (m^3/s)	MAXIMUM DAILY DISCHARGE (m^3/s)	MINIMUM DAILY DISCHARGE (m^3/s)	TOTAL DISCHARGE (dam^3)	YEAR
1954	---	21.7 ON NOV 19	---	---	1954
1955	---	136 E ON NOV 04 *	1.50 ON MAR 23 *	---	1955
1956	---	29.2 ON JUN 08	---	---	1956
1957	---	77.0 ON SEP 06	---	---	1957
	E - ESTIMATED	* - EXTREME RECORDED FOR THE PERIOD OF RECORD		---	MEAN

MINISTRY OF ENVIRONMENT, LANDS & PARKS

Water Rights Information System

Summary Report (with legal descriptions and old coordinates)

WELL4500 Production Operator IS SPINNEY

BCGS Map Area	Well No.	Well Tag No.	Lot No.	Plan No.	Blk No.	TP	RC	RD	D.L.	S	X	Y	Old Well No.	L.D.	Site Address	Date Constructed (dmy)	Well Depth (ft.)	Well Diam. (in.)	Drill Const No.	Const. Method	Well Yield	Yld. Unit	Depth to Water (ft.)	Depth to Bedrk (ft.)	Aquif Litho	Screen Interval (ft.)	G.W. Qual	Chem Lab	Chem Fld	Chem Site No.
093B.058.6.1.1	001	0000000077303							4139	07	11	14	001	05	WEST FRASER RD	15-05-1977	150.0	6.0	055	DRI	400.0	GPM	81	ZONE	UNC					
093B.098.6.1.1	002	0000000053263								00	00	00	000	05	HWY 97 SOUTH	05-09-1985	360.0	6.0	089	DRI	5.0	GPM	36	ZONE	UNC					
093B.058.6.1.1	003	0000000056173								00	00	00	000	05	MORGAN ROAD	30-06-1986	101.0	6.0	089	DRI	5.0	GPM	60	ZONE	UNC					
093B.058.6.1.2	001	0000000161178							10144	07	11	13	001	05		01-01-1960	30.0	0.0	UNK	DUG			29	ZONE	UNC					
093B.058.6.1.2	002	0000000049701								07	11	13	003	05		11-12-1981	505.0	6.0	104	DRI			UNK	304	UNC					
093B.058.6.1.2	003	0000000049798							47	07	11	13	004	05	TOM COLE FARM	01-01-1902	60.0	0.0	020	DRI	50.0	GPM	10	70	SAN					
093B.058.6.1.2	004	0000000065893							47	07	11	13	005	05	HWY 97	30-08-1988	370.0	6.0	020	DRI	5.0	GROU	35	ZONE	UNC					
093B.058.6.1.2	005	0000000051296	3	19230					10144	00	00	00	000	05	LAVALLY RD.,CARSON S	08-11-1982	65.0	6.0	089	DRI	1.5	GPM	47		UNC					
093B.058.6.1.4	001	0000000001743							10144	07	11	13	002	05		01-01-1935	35.0	0.0	UNK	DUG			19	ZONE	UNC					
093B.058.6.1.4	002	0000000046835								07	11	24	001	05		01-01-1961	334.0	10.0	104	DRI			UNK	312	UNC					
093B.058.6.1.4	003	0000000056175								00	00	00	000	05	ALEXANDRIA RESERVE W	30-06-1986	101.0	6.0	089	DRI	5.0	GPM	60		UNC					

---------- END OF REPORT WELL4500 ----------

Schedule of Indian Reserves in the Dominion—*Continued.*

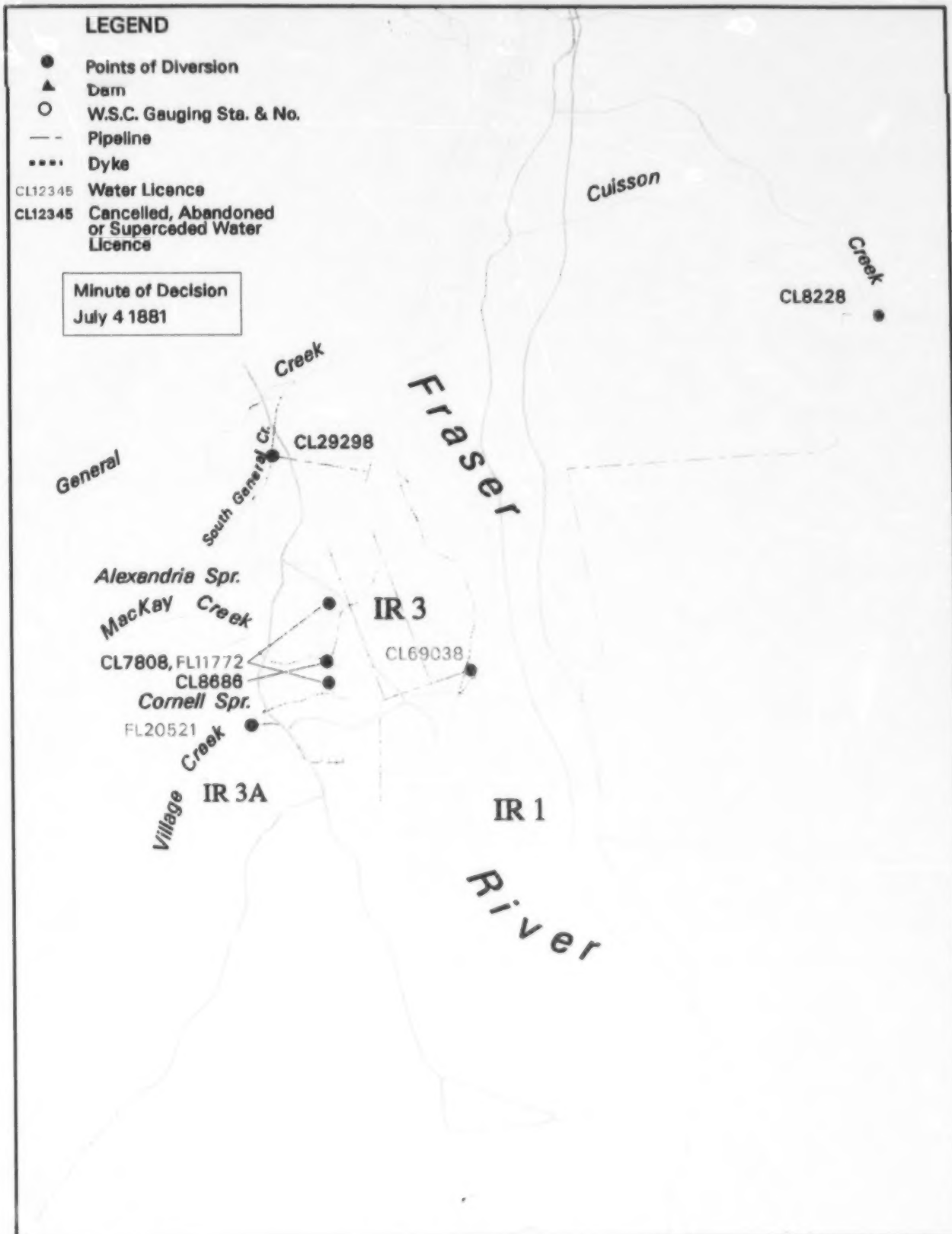
BRITISH COLUMBIA—WEST COAST AGENCY—*Concluded.*

No.	Name.	Where Situated.	Tribe or band.	Area, Acres.	Remarks.
2	Clakamucus	Clayoquot district, at the head of Ucluelet arm, Barclay sound.	Ucluelet	14·00	
3	Outs	Clayoquot district, at the mouth of Effingham inlet, Barclay sound.	"	12·00	Allotted by Commissioner O'Reilly, June 5, 1882. Surveyed, 1883. Approved, March 24, 1885.
4	Quisaquilth	Clayoquot district, near the head of Effingham inlet, Barclay sound.	"	15·00	
5	Kleykleyhous	Clayoquot district, at the head of Nahmint bay, Alberni canal.	"	150·00	
6	Ucluth	Clayoquot district, 1½ miles southeast of Wreck bay.	"	62·50	
7	Wya	Clayoquot district, ½ mile southeast of Wreck bay.	"	22·50	Allotted by Commissioner O'Reilly, June 18, 1889. Surveyed, 1893. Approved, May 18, 1894.
8	Oo-coith	Clayoquot district, at the northern extremity of Wreck bay.	"	42·00	
9	Quisitis	Clayoquot district, 1 mile northwest of Wreck bay.	"	12·50	

WILLIAMS LAKE AGENCY.

1	Alexandria	Cariboo district, on the left bank of Fraser river, at the 179 mile post on the Cariboo wagon road, near Alexandria town.	Alexandria	554·50	100 inches of water recorded from Four-mile creek
2	Hay ranch	Cariboo district, 3½ miles east of Alexandria	"	60·00	
3		Cariboo district, on the right bank of Fraser river, adjoining lot 46, group 1, and opposite reserve No. 1.	"	1,234·00	12 inches of water recorded from a spring upon the reserve. The Alexandria Indians have the privilege of fishing on the right bank of Fraser river upon reserve No. 1. A grave-yard situated on lot 46, group 1, is also reserved. Allotted by Commissioner O'Reilly, July 4, 1881. Surveyed, 1883 Approved, June 4, 1884.
1	Alkali Lake	Lillooet district, east of and adjoining lot 6 group 3, on Alkali creek, east of Fraser river.	Alkali Lake	896·50	
2		Lillooet district, 3 miles northeast of reserve No. 1.		800·00	

FISHING PRIVILEGE TO ENTIRE ALEXANDRIA BAND



ALEXANDRIA FIRST NATION

Scale: 1 : 50,000

Ministry of Environment, Lands & Parks | Date: April 2000 | Environment & Lands Division